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## China, Peoples Republic of

### FAIRS Product Specific

## Implementation Measures of 2004 TRQ Allocation for Wool and Wool Tops

### 2003

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**Report Highlights:**

This is an UNOFFICIAL translation of the Implementation Measures of 2004 TRQ Allocation for Wool and Wool Tops issued by the Ministry of Commerce on September 28, 2003.

Exporters should carefully discuss regulations and their application with Chinese importers to ensure their interpretation of the regulation is accurate.

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Includes PSD Changes: No  
Includes Trade Matrix: No  
Unscheduled Report  
Beijing [CH]  
[CH]

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Beijing, People's Republic of China. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

### Summary

The following is an UNOFFICIAL translation of the Implementation Measures of 2004 Tariff Rate Quota (TRQ) Allocation for Imported Wool and Wool Tops as issued by the Ministry of Commerce on September 28, 2003. Under WTO obligation, China should publish TRQ allocation details for major imported agricultural products one month ahead of the application period, which is from October 15 to October 30 of each year. The document also contains two appendices. The first appendix gives Harmonized System (HS) codes and tariffs for imported wool and wool tops. And the second one is a sample application form of Agricultural Product Import TRQ Certificate.

### Implementation Measures of 2004 TRQ Allocation for Wool and Wool Tops

#### Article 1.

These measures are established to facilitate the management of imports TRQs for wool and wool tops under the "Interim Rules and Regulations for Agricultural Imports Tariff Rate Quota" (Decree NO. 4), jointly issued by the Ministry of Commerce and the State Development and Reform Commission.

#### Article 2.

The 2004 TRQ amount for imported wool is 287,000 metric tons and that for wool tops is 80,000 metric tons.

#### Article 3.

Imports of wool and wool tops through all forms of trade are subject to the import TRQ management for wool and wool tops.

#### Article 4.

The 2004 import TRQs for wool and wool tops will be allocated on the basis of contract and first-come-first-serve mode. Applicants shall provide import contracts of wool or wool tops in applying for import TRQs. The Ministry of Commerce will issue Agricultural Product Import TRQ Certificates, through authorized agencies, to eligible quota applicants on first-come-first-serve basis. Applications for import TRQs for wool and wool tops will no longer be accepted at a time when all 2004 import TRQs for wool and wool tops have been allocated.

#### Article 5.

Requirements of application

- 1). Being registered with the State Industry and Commerce Management Authorities (provide copy of corporate business license) before 1 January 2004;
- 2). Maintaining a good financial status and tax payment record (provide relevant data for 2002 and 2003);

- 3). No record of misconduct at the Customs, Industry and Commerce, Tax Bureau or Quarantine Authorities in 2001-2003;
- 4). Having passed the 2002 enterprise inspection.
- 5). No record of violating the "Interim Rules and Regulations for Agricultural Imports Tariff Rate Quota" issued by the former State Development and Planning Commission and the 2003 Import TRQ Allocation Measures for Wool and Wool Tops.

#### Article 6.

##### Application qualifications

- 1). Producing enterprises or traders that have been allocated with wool or wool top import TRQs in 2003 and recorded actual imports (hereinafter referred to as "applicants with actual record")
- 2). Producing enterprises that have not recorded actual imports of wool or wool tops in 2003 but the sales value of their products (using wool or wool tops as raw materials) exceeding 50 million yuan, and the Ministry of Commerce (including the former Ministry of Foreign Trade and Economic Cooperation) designated wool enterprises (hereinafter referred to as "applicants without actual record").
- 3). Enterprises engaged in processing trade and having been granted Processing Trade Business Certificate.

Article 7. TRQ applicants shall submit their applications to the authorized agencies within their jurisdiction by providing wool or wool top import contract. Applicants shall fill out an Application Form for Wool or Wool Top Import TRQs (see appendix) and provide relevant documents.

Article 8. TRQ applicants may obtain an Application Form for Wool or Wool Top Import TRQs (see appendix) at the Ministry of Commerce authorized agencies or download a copy from the Ministry's web site (<http://www.mofcom.gov.cn>).

Article 9. TRQ applicants shall apply multiple times for the import TRQs within the calendar year, but shall abide by:

- 1). For applicants with actual record, the accumulative allocations before 30 September 2004 do not exceed 2003 actual import amount (refers to the customs stamped Agricultural Product Import TRQ Certificates that have been returned to the certificate-issuing agencies). If actual import volume is less than 300 metric tons, applicants may apply for 300 metric tons.
- 2). For applicants without actual record, the accumulative amount requested before 30 September 2004 does not exceed 300 metric tons.

#### Article 10.

If an end-user has imported the entire allocated TRQ amount stipulated in Article 9 (refers to the customs stamped Agricultural Product Import TRQ Certificates that have been returned to the certificate-issuing agencies), he/she may apply for post-September 30 TRQs.

#### Article 11.

After the authorized agencies have accepted applications, they should, if the applications comply with Articles 5, 6, 9, and 10, request online via the Ministry of Commerce network, and fax the reviewed and signed applications to the Ministry of Commerce. The sequence of applications will be determined by display on the Ministry of Commerce network terminal.

#### Article 12.

The Ministry of Commerce shall notify the authorized agencies of review results within 5 workdays after it receives online application and faxed copy.

**Article 13.**

Based on the number of approved applications, the authorized agencies shall issue Agricultural Product Import TRQ Certificates to the end-users within 5 workdays after receiving approval notifications from the Ministry of Commerce.

**Article 14.**

An Agricultural Product Import TRQ Certificate is valid for 6 months, but no later than December 31, 2004. Validity of An Agricultural Product Import TRQ Certificate for processing trade shall not exceed the re-export date for final product stipulated in the Certificate of Processing Trade Business.

**Article 15.**

If cargo departs the port of origin prior to 31 December 2004 and arrives at the destination in the following year, the end-user shall take the relevant documents to the certificate-issuing agency for an extension, but the extension shall not go beyond the end of February 2005. For processing trade enterprises, if imports are not (all) completed by December 31, the unused portion can be replaced by 2005 Agricultural Product Import TRQ Certificates if the original TRQ certificates are returned. However, the validity of the new TRQ certificates will not go beyond the deadline of re-export date for final product stipulated in the Certificate of Processing Trade Business.

**Article 16.**

In case of alteration or extension in processing trade, the processing trade enterprise shall renew its Agricultural Product Import TRQ certificate at the certificate-issuing agency by providing old certificate and alteration notice for the Certificate of Processing Trade. The validity shall not exceed the date stipulated in the alteration notice for the Certificate of Processing Trade.

**Article 17.**

An end-user shall return the original certificate to the certificate-issuing agency if TRQs have not been used within certificate validity. The Ministry of Commerce shall recall the quotas listed in the TRQ certificate and convert them into the balance of the TRQs, the Ministry will not accept the end-user's quota application within the same year.

**Article 18.**

If an end-user forges the import contract and other documents to obtain the Agricultural Product Import TRQ Certificate, he/she will be punished according to the provisions of the Interim Rules and Regulations for Agricultural Imports Tariff Rate Quota.

**Article 19.**

After an end-user has finished the customs clearance for imported goods, he/she should return the first page of the customs stamped Agricultural Product Import TRQ Certificate (copy for customs clearance) to the certificate-issuing agency within 20 workdays.

**Article 20.**

Imports of wool or wool tops shall follow the provisions of the Administrative Measures for Designated Goods Imports (MOFTEC Decree No. 21, 2001).

**Article 21.**

The Ministry of Commerce shall be responsible for the interpretation of these measures.

**Appendixes:**

1. 2004 HS Codes and Tariffs for Wool, Wool Tops
2. Application Form for Wool and Wool Tops Import TRQs

Appendix 1.  
2004 HS Codes and Tariffs for Wool, Wool Tops

NO.	Commodity Category	HS Code	Product name	Tariff (%)		
				MFN	General	In-Quota
1	Wool	51011100	Greasy shorn wool, not carded or combed	38	50	1
		51011900	Other Greasy shorn wool, not carded or combed	38	50	1
		51012100	Uncombed degreased shorn wool, not carbonized	38	50	1
		51012900	Other uncombed degreased shorn wool, not carbonized	38	50	1
		51013000	Uncombed carbonized wool	38	50	1
		51031010	Noils of wool	38	50	1
2	Wool tops	51051000	Carded wool	38	50	3
		51052100	Combed wool in fragments	38	50	3
		51052900	Wool tops and other combed wool	38	50	3

Appendix 2. **Application Form of Import TRQs for Wool, Wool Tops**

Stamp of Applicant Organization:

Name of Enterprise:			
Application items: <input type="checkbox"/> wool <input type="checkbox"/> wool tops		Forms of trade: <input type="checkbox"/> general trade <input type="checkbox"/> processing trade	
Requested amount (metric tons):		In year accumulative quotas allocated (metric ton):	
Enterprise category: <input type="checkbox"/> with actual import record <input type="checkbox"/> without actual import record			
Registered address:		Registration NO.	Telephone:
Nature of Enterprise: <input type="checkbox"/> State-own <input type="checkbox"/> Share-holding <input type="checkbox"/> Private <input type="checkbox"/> Foreign Invested			
Type of Enterprise <input type="checkbox"/> Manufacturing enterprise ? <input type="checkbox"/> Trading enterprise			
Wool product and capacity		Product name:	Wool product sales value in 2003 (10,000 yuan)
		2003 production:	2003 demand for imported wool, wool tops
The following is to be completed by the enterprises with actual import record (not including agents):			
TRQs for general trade in 2002		Allocated TRQs (MT):	TRQs for general trade in 2003
		Actual imports (MT):	Actual imports (MT):
The following is to be completed by processing trade enterprises with actual import record:			
Processing trade TRQs in 2002		Allocated TRQs (MT):	Processing trade TRQs in 2003
		Actual imports(MT):	Imported amount(MT):
The following is to be completed by processing trade enterprises applying for TRQs:			
Name of Processing enterprise:		Type of processing trade: <input type="checkbox"/> material supplied by customer <input type="checkbox"/> material bought by processor	
No. of Certificate of Processing Trade Business:		Deadline of final product re-export:	
Import Contract:			
Importer:		Importer customs registration No.	
Contract No.	Commodity name:	Commodity Serial No.	
Contract volume (MT):	Signing date:	Declaration port:	
Loading date:	Origin:	Trading country (region):	
Contract unit price:	Contract value:	Contract value in USD:	
Whether agree to provide TRQ allocation information to others: <input type="checkbox"/> yes <input type="checkbox"/> no			
Verification Comments completed by Authorized Agency:			

## Notes:

1. General trade and processing trade shall be filled out separately. 2. Actual imports: refers to calendar year accumulative import volume as recorded on import TRQ certificate and

returned to issuing agency (including shipment loaded before December 31 and arriving before February 15 of the following year). 3. Allocated TRQs: refers to accumulative TRQs allocated by authorized agency within calendar year.